

TITLE 8. Industrial Relations

Division 1. Department of Industrial Relations

Chapter 8. Office of the Director

Subchapter 5. Department of Industrial Relations--Conflict of Interest Code

§17000. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Industrial Relations,

Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statement of the Director, the agency shall make and retain a copy and forward the original of this statement to the Fair Political Practices Commission.

NOTE

Authority cited: Section 87306, Government Code. Reference: Sections 87300-87302 and 87306, Government Code.

HISTORY

1. New Group 5 (Articles 1-7, Sections 17000-17800, not consecutive) filed 12-2-77; effective thirtieth day thereafter. Approved by the Fair Political Practices Commission 1-19-77 (Register 77, No. 49).
2. Repealer of Group 5 (Articles 1-7, Sections 17000-17800, not consecutive) and new Group 5 (Section 17000 and Appendix) filed 2-26-81; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 12-1-80 (Register 81, No. 9).
3. Repealer of section and Appendix and new section and Appendix filed 3-3-2003; operative 4-2-2003. Approved by Fair Political Practices Commission 12-19-2002 (Register 2003, No. 10).

Appendix

Department of Industrial Relations

Disclosure Categories

Category 1:

Designated employees assigned to Category 1 shall report as follows:

Investments, interests in real property, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Department of Industrial Relations or any of its organizational components; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Department of Industrial Relations or any of its organizational components; or (3) engages in or derives any of its income from providing consulting services or education seminars on matters subject to the authority of the Department of Industrial Relations or any of its organizational components

Category 2:

Designated employees assigned to Category 2 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Department of Industrial Relations or any of its organizational components; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Department of Industrial Relations or any of its organizational components; or (3) engages in or derives any of its income from providing consulting services or educational seminars on matters subject to the authority of the Department of Industrial Relations or any of its organizational components.

Category 3:

Designated employees assigned to Category 3 shall report as follows:

Investments, interests in real property, business positions and income, including gifts, loans, and travel payments, from any source which has sold, rented, or leased goods, facilities, supplies or equipment to the Department of Industrial Relations, or any of its organizational components, within a two year period preceding the filing date of the designated employee's disclosure statement.

Category 4:

Designated employees assigned to Category 4 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source which sells, rents, or leases computer or information technology equipment, supplies, facilities, software, training or consulting services.

Category 5:

Designated employees assigned to Category 5 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Division of Workers' Compensation or the Workers' Compensation Appeals Board, including but not limited to physicians (as defined in Labor Code §3209.3), medical facilities, language interpreters, vocational rehabilitation practitioners, investigators, medical billing and lien collection agencies, workers' compensation insurance carriers and claims administrators, and self-insured employers; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Workers' Compensation or the Workers' Compensation Appeals Board; or (3) engages in or derives any of its income from providing consulting services or educational seminars on workers' compensation issues. Workers' Compensation Judges shall also comply with the California Code of Judicial Ethics.

Category 6:

Designated employees assigned to Category 6 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Industrial Medical Council or the Division of Workers' Compensation, including but not limited to physicians (as defined in Labor Code §3209.3), medical facilities, language interpreters, vocational rehabilitation practitioners, investigators, medical billing and lien collection agencies, workers' compensation insurance carriers and claims administrators, and self-insured employers; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Industrial Medical Council or the Division of Workers' Compensation; or (3) engages in or derives any of its income from providing consulting services or educational seminars on workers' compensation issues.

Category 7:

Designated employees assigned to Category 7 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Division of Labor Standards Enforcement; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Labor Standards Enforcement; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning labor or prevailing wage law.

Category 8:

Designated employees assigned to Category 8 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Division of Workers' Compensation or the Office of Self Insurance Plans, including but not limited to physicians (as defined in Labor Code §3209.3), medical facilities, language interpreters, vocational rehabilitation practitioners, investigators, medical billing and lien collection agencies, workers' compensation insurance carriers and claims administrators, and self-insured employers; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Workers' Compensation or the Office of Self Insurance Plans; or (3) engages in or derives any of its income from providing consulting services or educational seminars on workers' compensation issues.

Category 9:

Designated employees assigned to Category 9 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board; (2) is an organization or association composed primarily of persons or entities subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning occupational safety and health, industrial hygiene, or safety engineering.

Category 10:

Designated employees assigned to Category 10 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board, within the subject matter area over which the employee exercises exercise jurisdiction; (2) is an organization or association composed primarily of persons or entities subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board, within the subject matter area over which the employee exercises exercise jurisdiction; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning occupational safety and health, industrial hygiene, or safety engineering.

Category 11:

Designated employees assigned to Category 11 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the State Mediation & Conciliation Service (2) is an organization or association composed primarily of persons or entities subject to the authority of the State Mediation & Conciliation Service; (3) engages in or derives any of its income from providing mediation, conciliation and arbitration services; (4) engages in or derives any of its income from providing consulting services or educational seminars concerning mediation, conciliation and arbitration issues; or (5) is received from providing labor relations consulting, mediation, arbitration, or election services to any employer or employee organization located in the State of California.

Category 12:

Designated employees assigned to Category 12 shall report as follows:

Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning matters subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council.

DEPARTMENT OF INDUSTRIAL RELATIONS
DISCLOSURE CATEGORIES CHART

By Classification

Division/Unit	Classification	Category
Div. of Administration	Accounting Administrator (all levels)	3
Div. Workers' Compensation	Administrative Director	1
Div. Workers' Compensation	Area Supervisor Rehabilitation Unit	5
Div. Apprenticeship Standards	Area Administrator	12
Occupational Safety & Health	Area Manager Ca/OSHA Consultation	9
Labor Standards Enforcement	Assistant Chief Counsel	1
Office of the Director - Legal	Assistant Chief Counsel	1
Labor Standards Enforcement	Assistant Chief Div.	1
Office of the Director	Assistant Director	1
Div. of Admin – Business Mgmt	Associate Governmental Program Analyst	2
Div. Workers' Compensation-Admin.	Associate Governmental Program Analyst	3
Office of the Director	Associate Governmental Program Analyst	2
WCAB	Associate Governmental Program Analyst	3
Information Systems	Associate Governmental Program Analyst	4
Industrial Medical Council	Associate Medical Director	6
Div. Workers' Compensation	Bureau Chief – Rehabilitation	5
Div. Apprenticeship Standards	CEA 1	12
Occupational Safety & Health	CEA 1	9
Div. Workers' Compensation	CEA 2	5
Occupational Safety & Health	CEA 2 Program Manager - Consultation	9
OSH Appeals Board	Chairperson	1
OSH Standards Board	Chairperson	1
WCAB	Chairperson	1
Industrial Welfare Commission	Chairperson & Members	1
Office of the Director - Legal	Chief Counsel - CEA	1
Labor Standards Enforcement	Chief Counsel CEA 4	1
Office of the Director	Chief Deputy Director	1
Labor Standards Enforcement	Chief Division Labor Standard Enforcement	1
Div. of Administration	Chief Division of Administration, CEA 3	1
Div. Workers' Compensation	Chief Judge CEA 5	5
Div. Apprenticeship Standards	Chief, DAS	1
Labor Statistics & Research	Chief, DLSR	1
Occupational Safety & Health	Chief, DOSH	1
Div. Workers' Compensation	Chief, Legislation and Policy	5
Div. Workers' Compensation	Chief, Programmatic Services	5
Mediation & Conciliation	Conciliator	11
All Divisions	Consultant*	1
Information Systems	Data Processing Manager I, II and III	4
Information Systems	Data Processing Manager IV	1
WCAB	Deputy CEA 5	5
Div. Workers' Compensation	Deputy Administrative Director	5
Labor Standards Enforcement	Deputy Chief Labor Commissioner, CEA 2	1
Div. Apprenticeship Standards	Deputy Chief,	12
Labor Statistics & Research	Deputy Chief, CEA 1	1
Occupational Safety & Health	Deputy Chief, Health	9
Occupational Safety & Health	Deputy Chief, Safety	9
Office of the Director	Deputy Director	1

Occupational Safety & Health	Deputy Director of Management Relations	9
Labor Standards Enforcement	Deputy Labor Commissioner (all levels)	7
Office of the Director	Director	1
Occupational Safety & Health	District Manager	9
Industrial Medical Council	Executive Medical Director	6
CHSWC	Executive Officer	2
Industrial Welfare Commission	Executive Officer	1
OSH Appeals Board	Executive Officer	1
OSH Standards Board	Executive Officer	1
Div. Workers' Compensation	Health Education Consultant III	5
OSH Appeals Board	Hearing Officer I	9
OSH Appeals Board	Hearing Officer II	9
Office of the Director - Legal	Industrial Relations Counsel (all levels)	2
Div. Workers' Compensation	Industrial Relations Counsel (all levels)	5
WCAB	Industrial Relations Counsel (all levels)	5
Labor Standards Enforcement	Industrial Relations Counsel (all levels)	7
Occupational Safety & Health	Industrial Relations Counsel (all levels)	9
OSH Appeals Board	Industrial Relations Counsel (all levels)	9
OSH Standards Board	Industrial Relations Counsel (all levels)	9
Industrial Medical Council	Industrial Relations Counsel and Legal Counsel (all levels)	6
Labor Standards Enforcement	Labor Standards Investigator	7
Office of the Director - Legal	Legal Counsel	2
Div. Workers' Compensation	Legal Counsel	5
Labor Standards Enforcement	Legal Counsel	7
CHSWC	Member	1
WCAB	Member	1
Industrial Medical Council	Member, Industrial Medical Council	1
OSH Appeals Board	Member, OSHA Appeals Board	1
OSH Standards Board	Member, OSHA Standards Board	1
Occupational Safety & Health	Nurse Consultant III	9
Mediation & Conciliation	Presiding Conciliator	11
Div. Workers' Compensation	Presiding Workers' Compensation Judge	5
OSH Standards Board	Principal Safety Engineer – Construction	10
Occupational Safety & Health	Principal Safety Engineer - Industrial	9
OSH Standards Board	Principal Safety Engineer – Industrial	10
Occupational Safety & Health	Program Manager, Consultation, CEA	9
Occupational Safety & Health	Program Manager, Engineering Services, CEA	9
Occupational Safety & Health	Public Health Medical Officer III	9
Occupational Safety & Health	Regional Manager	9
Div. Workers' Compensation	Regional Manager, Claims Adjudication	5
Occupational Safety & Health	Research Manager	9
Labor Statistics & Research	Research Manager I	1
Labor Statistics & Research	Research Manager II	1
CHSWC	Research Program Specialist (all levels)	2
Labor Statistics & Research	Research Program Specialist (all levels)	2
Div. Workers' Compensation	Research Scientist III	5
Div. Apprenticeship Standards	Senior Apprenticeship Consultant	12
Occupational Safety & Health	Senior Industrial Hygienist	9
OSH Standards Board	Senior Industrial Hygienist	9
Occupational Safety & Health	Senior Safety Engineer - Industrial	10
Occupational Safety & Health	Senior Special Investigator	9

Self Insurance Plans	Special Assistant to the Director	8
Occupational Safety & Health	Special Investigator	9
Labor Standards Enforcement	Special Investigator (all levels)	7
Office of the Director – Legal	Special Investigator (all levels)	2
Industrial Medical Council	Sr. Special Investigator	6
Div. Workers' Compensation	Sr. Workers' Comp. Compliance Officer	5
Div. of Admin – Business Mgmt	Staff Services Manager (all levels)	2
Div. of Admin – Return to Work	Staff Services Manager (all levels)	3
Div. Apprenticeship Standards	Staff Services Manager (all levels)	2
Occupational Safety & Health	Staff Services Manager (all levels)	9
OSH Standards Board	Staff Services Manager I	9
Div. of Administration	Staff Services Manager II	2
Div. of Administration	Staff Services Manager III	2
Self Insurance Plans	Supervising Workers' Comp. Compliance Officer	8
Occupational Safety & Health	Supervising Industrial Hygienist	9
Occupational Safety & Health	Supervising Special Investigator	9
Div. Workers' Compensation	Supervising Workers' Comp. Compliance Officer	5
Div. Workers' Compensation	Supervising Workers' Comp. Consultant	5
Mediation & Conciliation	Supervisor of Conciliation Service CEA	1
Div. Workers' Compensation	Workers' Comp. Compliance Manager	5
Div. Workers' Compensation	Workers' Comp. Compliance Officer	5
Div. Workers' Compensation	Workers' Comp. Consultant--Collection Unit	5
Div. Workers' Compensation	Workers' Comp. Rehabilitation Consultant	5
Self Insurance Plans	Workers' Compensation Compliance Manager	8
Self Insurance Plans	Workers' Compensation Compliance Officer	8
Div. Workers' Compensation	Workers' Compensation Judge	5
Div. Workers' Compensation	Workers' Compensation Manager	5
Industrial Medical Council	Workers' Compensation Manager	6

*Consultants are included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.